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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/788,628

02/14/2001

Patrick Thomas Greer

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7590

09/26/2006

CHRISTOPHER A. WIKLOF
3531 99th Street S.E.
Everett, WA 98208

EXAMINER

NGUYEN, THANH T

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/788,628	Applicant(s) GREER ET AL.	
	Examiner Tammy T. Nguyen	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18 and 31-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18, 31-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



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Detailed Office Action

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 14, 2006 has been entered.
2. Claims 18, 31-49 are presented for examination.

Claim Objections

3. Claim 1 is objected to because of the following informalities: Applicants are required to spell out UCC. Appropriate correction is required.
4. Claims 33, and 46 are objected, Applicants are required to spell out the "EAN symbol". Appropriate correction is required.
5. Claims 34, and 47 are objected, Applicants are required to spell out the "JAN symbol". Appropriate correction is required,

6. Claim 1 is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 18, 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun et al., (hereinafter Cragun) U.S. Patent No. 5,804,803 in view of Bvirupax M. Nerlikar., (hereinafter Nerlikar) U.S. Patent No. 5,629,981.
9. As to claim 18, Cragun discloses the invention substantially as claimed, Cragun teaches including a method of accessing data, comprising: reading containing data corresponding to a bar code, wherein the bar code comprises a first portion corresponding to a UCC company identifier and a second portion corresponding to a UCC item identifier [see Cragun fig.2, abbreviated form 220 to expanded form 230 to data-filled form 240, col.5, line 53 to col.6, line 20]; constructing a URL from the data read from the corresponding to the bar code, wherein a portion of said URL comprises the UCC company identifier

and the UCC item identifier constructed as www. “company identifier”. com/ “item identifier”: [see Cragun fig.3, <http://yummy.corp.com/??language??>, col.6, lines 45 to 67]; calling the URL[see Cragun, col.8, lines 6-62, processing program 110 send the complete URL via wireless network device]; and displaying information associated with said URL [see Cragun. Col.8, lines 45-62, when document requested by completed URL return to client computer and displayed on display screen], and wherein said “company identifier” comprises a number assigned by the uniform code council (UCC) and said “item identifier” [see Cragun col.3, lines 58-61, customer identifier ID] comprises a number assigned by a manufacturer [see Cragun fig.3, 34567-89012.... <http://peanut.food.com/??CID??&??SIP??>]. However, Cragun does not explicitly teach RF tag.

10. In the same field of endeavor, Nerlikar discloses (e.g.,...information management and security system). Nerlikar discloses RF tag [Nerlikar, see col.4, lines 15-31, and col.6, lines 9-19].
11. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Nerlikar’s teachings of information management and security system with the teachings of Cragun to have reading data from an RF tag because it would have provided The frequency of the waves transmitted by a specific radio station.
12. As to claim 31, Cragun teaches the invention as claimed, wherein displaying information associated with said URL comprises: displaying information of interest about an item associated with the item identifier [see Cragun col.3, lines 58-61, customer identifier ID],

wherein the information of interest about the item resides in a user site accessed through the URL [see Cragun, fig.3, 34567-89012.... [http:// peanut.food.com/??CID??&??SIP??](http://peanut.food.com/??CID??&??SIP??)].

13. As to claim 32, Cragun teaches the invention as claimed, wherein the barcode corresponds to a UPC symbol [see Cragun [http:// peanut.food.com/??CID??&??SIP??](http://peanut.food.com/??CID??&??SIP??)].
14. As to claim 33, Cragun, teaches the invention as claimed, wherein the barcode corresponds to a EAN symbol [see Cragun, fig.3].
15. As to claim 34, Cragun, teaches the invention as claimed, wherein the barcode corresponds to a JAN symbol [see Cragun, fig.2].

Claim Rejections - 35 USC § 102

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

17. Claims 35-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Cragun et al., (USPN 5,804,803 Date of Patent: September 8, 1998, herein referred to as Cragun).
18. As to claim 35, Cragun teaches the invention as claimed, including a method of accessing data, comprising: receiving bar code information encoding a UCC company identifier and a UCC item identifier [see Cragun col.3, lines 58-61, customer identifier ID]; and constructing a URL from the received bar code information, wherein at least a portion of

the URL comprises the UCC company identifier and the UCC item identifier constructed as www. "company identifier".com/ "item identifier" [see Cragun fig.3, 34567-89012....
http:// peanut.food.com/??CID??&??SIP??, col.7, lines 27-47].

19. As to claim 36, Cragun, teaches the invention as claimed, wherein constructing the URL from the bar code comprises: appending the company identifier to www. [see fig.2, http: www/language=Spanish&CNAME]To construct the www.company identifier portion of URL[http:// peanut.food.com/??CID??&??SIP??,]; and appending the item identifier to "/" to construct the / "item identifier" portion of the URL [http:// peanut.food.com/??CID??&??SIP??, col.7, lines 27-47].
20. As to claim 37, Cragun, teaches the invention as claimed, wherein constructing the URL from the bar code comprises: prepending " www. " to the company identifier to construct the www. "company identifier" [see Cragun col.3, lines 58-61, customer identifier ID]; portion of the URL; and prepending "/" to the item identifier to construct the / " item identifier" portion of the URL [http:// peanut.food.com/??CID??&??SIP??, col.7, lines 27-47].
21. As to claim 38, Cragun teaches the invention as claimed, further comprising: scanning a bar comprising at least a first portion encoding the UCC company identifier and a second portion encoding the UCC item identifier [see Cragun col.8, lines 6-38].
22. As to claim 39, Cragun, teaches the invention as claimed, further comprising: linking to the URL so that a manufacture's site is accessed, and accessing a portion of the manufacture's site pertaining to the identified product [http:// peanut.food.com/??CID??&??SIP??, col.7, lines 27-47].

23. As to claim 40, Cragun, teaches the invention as claimed, wherein linking to the URL comprises: calling the URL [see Cragun, col.8, lines 6-62, processing program 110 send the complete URL via wireless network device].
24. As to claim 41, Cragun, teaches the invention as claimed, wherein the linking the URL so that a manufacturer's site is accessed comprises: attempting to link to a plurality of sites, each site with a different domain name, until at least one of the linked sites responds so that information pertaining to the identified product is received [see Cragun, col.7, lines 15-67].
25. As to claim 42, Cragun, teaches the invention as claimed, further comprising:
constructing the ".com" portion of the URL with a domain name, wherein the domain name comprises at least one selected from a group consisting of a ".net" domain name, a ".gov" domain name and a ".org" domain name [see Cragun, fig.2].
26. As to claim 43, Cragun, teaches the invention as claimed, further comprising: receiving at least information pertaining to the identified product from the accessed portion of the site pertaining to the identified product; and displaying the information pertaining to the identified product [see Cragun. Col.8, lines 45-62, when document requested by completed URL return to client computer and displayed on display screen].
27. As to claim 44, Cragun, teaches the invention as claimed, wherein receiving the bar code information comprises: receiving the bar code information at a point of sale [see Cragun, col.5, lines 53-67].

28. As to claim 45, Cragun, teaches the invention as claimed, wherein receiving the bar code information comprises: receiving UPC bar code information [see Cragun, col.7, lines 15-26].
29. As to claim 46, Cragun, teaches the invention as claimed, wherein receiving the bar code information comprises: receiving EAN bar code information [see Cragun,fig.2].
30. As to claim 47, Cragun teaches the invention as claimed, wherein the bar code information comprises: receiving JAN bar code information [see Cragun, fig.3].
31. As to claim 48, Cragun, teaches the invention as claimed, including a method of accessing data, comprising: receiving a URL call to access a manufacturer site that includes information pertaining to an item of interest, wherein the URL of the manufacturer site is www. "company identifier".com/ " item identifier" and wherein the "item identifier" corresponding to the item of interest; and returning the information of interest to the a site that initiated the URL call [see Cragun, http://peanut.food.com/??CID??&??SIP??, col.7, lines 27-47].
32. As to claim 49, Cragun, teaches the invention as claimed, wherein the URL corresponds to a bar code with a UCC company identifier and a UCC item identifier[see Cragun, col.7, lines 15-67].

Response to Arguments

33. Applicant's arguments with respect to claims 18, 31-49 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments include the failure of previously applied art to expressly disclose any type of URL constructed as

www.company identifier.com/item identifier also on fig.8 (see Applicant's response, Dated June 14, 2006, Page 8, 7 last paragraph and fig.8 on page 9). It is evident from the detailed mappings found in the above rejection(s) that Cragun and Nerlikar disclosed this functionality ([see Cragun, [http:// peanut.food.com/??CID??&??SIP??](http://peanut.food.com/??CID??&??SIP??), col.7, lines 27-47]. Further, it is clear from the numerous teachings (previously and currently cited) that the provision for discloses any type of URL constructed as www.company identifier.com/item identifier was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

Conclusion

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***William Vaughn*** can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

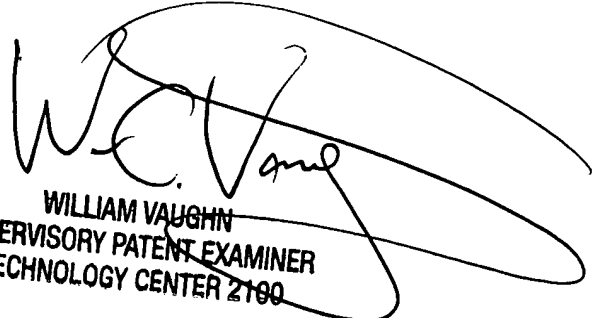
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TTN

September 18, 2006


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100